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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,789	12/02/2003	Robert W. Hurtz	SLA1433	6110
55428	7590	11/24/2010		
Jon M. Dickinson, P.C. 8015 S.E. 31st Ave PORTLAND, OR 97202			EXAMINER	
			MCCOMMAS, BRENDAN N	
			ART UNIT	PAPER NUMBER
			2625	
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			11/24/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/726,789

**Applicant(s)**

HURTZ ET AL.

**Examiner**

BRENDAN MCCOMMAS

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 September 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. **Claims 1, and 3** are rejected under 35 U.S.C. 103(a) as being unpatentable over Aschenbrenner et al. (U.S. Patent Publications 7,218,405), hereinafter referenced as Aschenbrenner further in view of Christiansen et al. (United States Patent Publication 2004/0196493) hereinafter referenced as Christiansen further in view of Caldato et al. (United States Patent Publication 2004/0008885) hereinafter referenced as Caldato, further in view of Kuroki et al. (United States Patent Publication 2004/0100656) hereinafter referenced as Kuroki.
2. **Regarding claim 1**, Aschenbrenner discloses a method for process handling of each PDF data stream which is en route to a printer, as disclosed in column 9, lines 34-39 comprising: querying such a PDF data stream to detect the presence therein of a PDF file, as disclosed in column 10, lines 1-10 and lines 49-65,
4. on detecting the presence of a PDF file in the data stream, and with respect to the date in that file, directing that data to a dedicated, PDF pipeline processing path (with its own color profile as well), as disclosed in column 9, lines 34-50 and exhibited in figure

5, path 514, and for PDF files that are other than a PDF image only file performing conventional PDF handling en route to a printer, as exhibited in figure 5, path 512. The Examiner points to [0007]- [0008] where the exclusive image data is in PDF format. However Aschenbrenner fails to explicitly disclose that the method is PDF-exclusive. However it would have been obvious to one of ordinary skill in the art at the time of the invention to include such a modification to the invention of Aschenbrenner, as taught by Christiansen. In a similar field of endeavor, Christiansen discloses a method for enhanced management for raster image processing resources. In addition Christiansen discloses that the RIP pipeline is PDF exclusive, as disclosed in [0020]. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include the modifications of Christiansen in the invention of Aschenbrenner, for the purpose of efficiently servicing only PDF print jobs for part of the time that the printer is in operation, as disclosed in Christiansen [0020]. However Aschenbrenner and Christiansen both fail to disclose directing that image only data to a full time dedicated and exclusive PDF image-only pipeline processing path. However it would have been obvious to one of ordinary skill in the art at the time of the invention to include such a modification to the invention of Aschenbrenner and Christiansen, as taught by Caldato. In a similar field endeavor Caldato discloses an image processing device and corresponding method. In addition Caldato discloses directing that image only data to a full time dedicated and exclusive PDF image-only pipeline processing path, as disclosed in [0054] and [00163]-[0168] and exhibited in figure 20. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include such a

modification to the invention of for the purpose of allowing user customization in how the image is handled, as disclosed in [0052]. However Aschenbrenner, Christiansen, and Caldato fail to explicitly disclose that the data stream may include both PDF image only and other than PDF image-only files and deflecting and channeling the image only data through a separate pipeline. However it would have been obvious to one of ordinary skill in the art at the time of the invention to include such a modification, as taught by Kuroki. In a similar field of endeavor, Kuroki discloses disclose that the data stream may include both PDF image only and other than PDF image-only files and deflecting and channeling the image only data through a separate pipeline, As disclosed in [0110]-[0115]. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include such a modification for the purpose of allowing monochromatic image data to be processed more quickly, as disclosed in [0017]-[0018].

5. **Regarding claim 3**, Aschenbrenner, Caldato, Kuroki and Christiansen disclose everything claimed as applied above (see claim 1) In addition claim 3 is interpreted and rejected for the reasons set forth in the rejection of claim 1. Claim 1 describes a method, and claim 3 describes an apparatus for implementing the method. Thus claim 3 is rejected.

16. **Claims 2 and 4** are rejected under 35 U.S.C. 103(a) as being unpatentable over Aschenbrenner et al. (U.S. Patent Publications 7,218,405), hereinafter referenced as Aschenbrenner, further in view of Christiansen et al. (United States Patent Application Publication 2004/0196493) hereinafter referenced as Christiansen, further in view of

Caldato et al. (United States Patent Publication 2004/0008885) hereinafter referenced as Caldato, further in view of Kuroki et al. (United States Patent Publication 2004/0100656) hereinafter referenced as Kuroki. further in view of Matsuhara et al (US Published Application Publication 2004/0190045).

5. **Regarding claim 2**, Aschenbrenner, Caldato, Kuroki and Christiansen disclose everything claimed as applied above (see claim 1). However Aschenbrenner fails to explicitly disclose the method wherein the directing includes specifically directing a detected image-only block of PDF data to a path which includes processing steps involving image decoding and downstream from image decoding, rendering for printing. However it would have been obvious to one of ordinary skill in the art at the time of the invention to include this feature in the invention of Aschenbrenner, as taught by Matsuhara. In a similar field of endeavor, Matsuhara discloses an image processing apparatus and data processing apparatus. In addition Matsuhara discloses the method wherein the directing includes specifically directing a detected image-only block of PDF data to a path which includes processing steps involving image decoding [0041] and downstream from image decoding, rendering for printing, as disclosed in [0038] and exhibited in figures 8 and 9. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include such modifications to the invention of Aschenbrenner, for the purpose of allowing the user to more easily enact a plurality of processing on the image data stream, as disclosed in Matsuhara, [0013]. However Aschenbrenner and Matsuhara fail to explicitly disclose that the method is PDF-exclusive. However it would have been obvious to one of ordinary skill in the art at the

time of the invention to include such a modification to the invention of Aschenbrenner and Matasuhara, as taught by Christiansen. In a similar field of endeavor, Christiansen discloses a method for enhanced management for raster image processing resources. In addition Christiansen discloses that the RIP pipeline is PDF exclusive, as disclosed in [0020]. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include the modifications of Christiansen in the invention of Aschenbrenner and Matasuhara, for the purpose of efficiently servicing only PDF print jobs for part of the time that the printer is in operation, as disclosed in Christiansen [0020].

7. **Regarding claim 4**, Aschenbrenner, Matsuhara, Kuroki, Caldato and Christiansen disclose everything claimed as applied above (see claim 3) In addition claim 4 is interpreted and rejected for the reasons set forth in the rejection of claim 2. Claim 2 describes a method, and claim 4 describes an apparatus which implements the method. Thus claim 4 is rejected

#### ***Response to Arguments***

22. Applicant's arguments filed 04/22/2010 have been fully considered but they are Not persuasive. The Applicant argues on page page 7, "There is certainly no, initial PDF image-only data content isolation -- taught or suggested. By way of sharp contrast, in the practice of applicants' invention every PDF-file data stream which contains PDF image-only data is definitively interrupted from direct, unmodified flow to a printer, in order to accommodate dedicated, PDF image-only processing." However the Examiner respectfully disagrees and points out that in [0127] Kuroki reveals that each of the

processes could be used on the PDF data stream regardless of the data requirement. This would make the file more streamlined and easier to handle. The image data in the PDF data stream is handled differently for each document. Aschenbrenner, Matsuhara, Kuroki, Caldato and Christiansen all relate to the processing of PDF data streams and each modification mentioned has been supported with motivational statements in the respective references.

### ***Conclusion***

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **BRENDAN MCCOMMAS** whose telephone number is (571)270-3575. The examiner can normally be reached on IFP.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Haskins can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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